



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	<b>Board of Cosmetology and Barbering</b>
MEETING DATE AND TIME:	<b>Monday, October 31, 2011 at 9:00 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
MINUTES APPROVED:	November 28, 2011

**MEMBERS PRESENT**

Kathryn Lord, President, Professional Member  
Cecilia Jones, Vice President, Public Member  
Carol Guilbert, Secretary, Public Member  
Linda Wilson, Professional Member  
Derrick Reed, Professional Member  
Deborah Boulden, Professional Member  
Lisa Aurand, Professional Member  
Hillary Reid, Professional Member  
Leila Lord, Professional Member

**MEMBERS ABSENT**

Melinda Schaeffer, Professional Member  
Tien Le, Professional Member  
Jordana Naftzinger, Public Member  
Albert Niezgoda, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

James Collins, Director  
Kay Warren, Deputy Director  
Eileen Heeney, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II  
Elinda Taylor, Cosmetology Inspector

**OTHERS PRESENT**

Juli LaBadia, Court Reporter  
Jeanette Drummond  
Michael Paoli  
Marc Goldyn  
Dannelle R.  
Theresa Waters  
Laron Thomas  
Susan Cooper-Gill

**CALL TO ORDER**

Ms. Lord called the meeting to order at 9:21 a.m.

**REVIEW OF MINUTES**

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the September 26, 2011 minutes as presented. The motion was unanimously carried.

**UNFINISHED BUSINESS**

**Continuance of Proposal to Deny Hearing – Jeanette Drummond**

The hearing went on record at 9:23 a.m.

Ms. Heeney introduced that this was a continuance proposal to deny hearing for Jeanette Drummond based off of her criminal history. At last month's hearing, Ms. Drummond was asked to provide the Board with additional documents verifying she was released from probation as well as verification of employment from her current job.

Ms. Drummond was sworn in and agreed to proceed without legal counsel. She waived the 20 day notice of a hearing.

The Board members were introduced.

Ms. Drummond marked as Applicant's Exhibit 1 a progress report from her probation officer and a letter from her current employer. These documents were reviewed by all of the Board members.

Ms. Drummond testified that she is currently employed by Jor-lin Tour and Charter in Milford, Delaware.

Ms. Drummond answered questions from the Board members.

Ms. Heeney asked Ms. Drummond when she was discharged.

Ms. Drummond testified that she was discharged September 4, 2009.

The hearing went off record and into deliberations.

The hearing went back on record at 9:36 a.m.

A motion was made by Ms. Lord, seconded by Ms. Guilbert, to approve the Cosmetologist examination application of Jeanette Drummond. The motion was unanimously carried.

The hearing went off record and adjourned at 9:39 a.m.

Verbatim testimony was taken by a court reporter.

Proposal to Deny Hearing – Susan Cooper-Gill

The hearing went on record at 10:02 a.m.

Ms. Heeney introduced this was a proposal to deny hearing for Susan Cooper-Gill for not meeting the reciprocity requirements for licensure as a cosmetologist. She marked as Boards Exhibit 1 a packet of documents including: application for licensure, verification of licensure from Maryland and Pennsylvania, copies of Delaware drivers license, disability insurance documents, request for social security earnings, letter from her attorney in regards to her claim for social security disability, proposal to deny letter and USPS signed green card, request for a hearing, notice of hearing and signed USPS green card, letter from State Representative Wilson, and high school transcripts. Ms. Heeney also had marked as Applicants Exhibit 1 several documents Ms. Cooper-Gill brought with her including the letter from the State Representative as well as several reference letters from clients.

The Board members were introduced.

Ms. Cooper-Gill was sworn in and agreed to proceed without legal counsel.

Ms. Cooper-Gill testified that she is still licensed in both Pennsylvania and Maryland and has continued to provide cosmetology services to clients who are shut-in's and unable to leave their homes and she has been very successful at this.

John Gill, Susan's husband, was sworn in and testified that his wife has been very capable to cut hair in and out of a salon setting since 1988 and feels that she is worthy to have a shot at working in society.

There were no questions from the Board for this witness.

Ms. Cooper-Gill added one more piece of documentation to her exhibits: a letter from Kathy Szejewski stating she has been a client of Ms. Cooper-Gill's for the past four years.

The hearing went off record and into deliberations.

The hearing went back on record at 10:18 a.m.

A motion was made by Ms. Lord, seconded by Ms. Leila Lord, to approve the Cosmetologist application of Susan Cooper-Gill for meeting the 5 year reciprocity requirement. The motion was unanimously carried.

The hearing went off record and adjourned at 10:19 a.m.

Verbatim testimony was taken by a court reporter.

#### Discussion with Director Collins

Mr. Collins addressed the Board in regards to re-reviewing the requirements for reciprocity and referenced "substantially similar" not meaning exactly similar, especially where high school education is concerned.

Ms. Heeney stated that the Board is currently looking at drafting a clean up bill which will address Mr. Collins suggestion.

Mr. Collins introduced Elinda Taylor to the Board as the new Cosmetology Inspector and advised that she is currently training with Mr. Eihinger.

Ms. Taylor advised that Board that she has a BA in Criminal Justice and is also a full-time Gaming Inspector with Delaware Park. She will be going into the shops/salons to inspect/investigate and filing a complaint if there are any violations.

Ms. Taylor stated that in the first few months she plans to just go into the shops/salons up and down the state and train on the scope of practice of the licensees and what to look for while inspecting.

#### Signing Decision and Order

This agenda item was tabled until the November 28, 2011 meeting.

#### Re-Review of Applications

After review of an updated floor plan and a notarized letter stating that no waxing services will be rendered on the premises, a motion was made by Ms. Lord, seconded by Ms. Guilbert, to approve the salon application of Le' Nails. The motion was unanimously carried.

After re-review of the application and statute, a motion was made by Ms. Lord, seconded by Ms. Guilbert, to rescind the proposal to deny motion from September and approve the reinstatement by exam Cosmetologist application of Susan Drummond. The motion was unanimously carried.

#### **NEW BUSINESS**

The agenda was amended to add Theresa Waters' apprenticeship application to 4.0 of the agenda.

Review of Apprentice Application

Theresa Waters stated that she believed that she would be on today's agenda. She applied for an apprenticeship in January 2011 and assumed that by turning in the application she was approved and began accruing the required 3000 hours. Her application was sent back to her for no social security number and received again in February 2011.

Ms. Waters was present with her supervisor, Laron Thomas, and claimed that she has been working about 525 hours per month, which included extra hours that she was putting in over the 32.5 regular work week.

Ms. Witte advised the Board that the documents included in her file were as follows: application date stamped on January 21, 2011 then again on February 1, 2011, a letter from Laron Thomas stating Ms. Waters has been working in her salon for the last 6 months and also asking that the hours she has been accumulating be accepted, a copy of a South Carolina High School Equivalency Diploma date stamped July 28, 2011, a letter from Ms. Waters dated July 21, 2001 asking that her hours be accepted and a letter from the Division's credentialist stating that the hours will not be counted as the apprentice license had not been issued and also asking for a copy of her marriage license.

After review of the application, a motion was made by Ms. Guilbert, seconded by Ms. Lord, to not accept the previously accrued apprenticeship hours due to license not yet being issued and to approve the apprentice application of Theresa Waters with hour accrual date beginning today, October 31, 2011. The motion was unanimously carried.

Ratification of Application

A motion was made by Ms. Lord, seconded by Ms. Aurand, to approve the ratified Aesthetician application of Michele O'Donnell. The motion was unanimously carried.

Review of Reciprocity Applications

A motion was made by Ms. Jones, seconded by Ms. Guilbert to approve the Cosmetologist applications of Rachel Pranger, Donna Ambrose, Rona Muir, Tammi Rossi, Lydia Castro and Sandy Simms, the Nail Technician applications of Vinh Truong and Calvin Doan, and the Aesthetician application of Calvin Doan. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the Barber application of Deborah Orti contingent upon receipt of a revised employer verification stating her job description. The motion was unanimously carried.

Review of Salon/School Applications

A motion was made by Ms. Jones, seconded by Ms. Guilbert to approve the shop/salon applications of millennium Cuts, Paradise Day Spa & Salon, LLC., Me'Lange Studio, LLC, Polished Salon, Hair Is Our Passion, Sunlight Salon of Newark, Inc., La Vita Bella

Day Spa, LLC., Mario Van Nezes Hair Salon, LA Nails, Hairstop on 30, Seaford Center Genesis, Supreme Hair Design, New Image Nails, Clip Masters Barber Shop, Barbershop of Sophisticated Style, Essence of Skin Day Spa, Where They Du That @ Styling Co., Nick's Magic Scissors, Diane's Magic Scissors, and Tip Top Nails. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the shop/salon application of Kitten-Total Hair Care Specialist, LLC contingent upon receipt of the application fee. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Guilbert, to approve the shop/salon application of Unique Hair Creations contingent upon receiving a copy of the City of Dover business license and verification of the licensed Barber whom will be working in the salon in the Barber Room. The motion was unanimously carried.

#### Review and Deliberation of Hearing Officer's Recommendation to the Board

After review, a motion was made by Ms. Guilbert, seconded by Ms. Lord, to approve the recommendations of the Hearing Officer regarding the disciplinary hearing of Dung Si Chenh. The motion was unanimously carried.

After review, a motion was made by Ms. Lord, seconded by Ms. Aurand, to approve the recommendations of the Hearing Officer regarding the disciplinary hearing of Theresa Masarone. The motion was unanimously carried.

After review, a motion was made by Ms. Guilbert, seconded by Ms. Lord, to approve the recommendations of the Hearing Officer regarding the disciplinary hearing of James White. The motion was unanimously carried.

#### Complaint Status

08-55-08-Assigned to Hearing Officer  
08-03-09-Assigned to Hearing Officer  
08-04-10-Office of the Attorney General  
08-08-10-Assigned to Hearing Officer  
08-10-10-Assigned  
08-13-10-Office of the Attorney General  
08-16-10-Office of the Attorney General  
08-18-10-Closed  
08-19-10-Office of the Attorney General  
08-21-10-Closed  
08-28-10-Closed  
08-29-10-Assigned  
08-31-10-Assigned  
08-33-10-Assigned to Hearing Officer  
08-36-10-Assigned  
08-37-10-Assigned  
08-38-10-Office of the Attorney General  
08-39-10-Assigned

08-44-10-Assigned to Hearing Officer

08-02-11-Assigned  
08-03-11-Office of the Attorney General  
08-04-11-Assigned  
08-05-11-Assigned to Hearing Officer  
08-06-11-Office of the Attorney General  
08-08-11-Assigned  
08-09-11-Assigned  
08-10-11-Dismissed  
08-12-11-Assigned  
08-14-11-Assigned  
08-15-11-Office of the Attorney General  
08-16-11-Assigned  
08-17-11-Assigned  
08-18-11-Office of the Attorney General  
08-19-11-Assigned  
08-20-11-Office of the Attorney General  
08-21-11-Assigned  
08-23-11-Office of the Attorney General  
08-24-11-Office of the Attorney General  
08-25-11-Office of the Attorney General  
08-26-11-Assigned  
08-27-11-Assigned  
08-29-11-Assigned  
08-30-11-Assigned  
08-31-11-Assigned  
08-32-11-Assigned  
08-33-11-Assigned  
08-34-11-Assigned  
08-35-11-Assigned

#### Discussion of Possible Revisions to the Statute

Ms. Heeney will have a list of possible revisions for the Board to review at the November meeting.

#### **CORRESPONDENCE**

There were several documents of correspondence for the Boards review.

Languages Unlimited, Inc. has been providing translations (as well as certification and notarization) of documents such as birth certificates, marriage certificates, divorce decrees, transcripts and high school and university diplomas for the past 20 years and wanted the Board to be aware of their services.

The AACCS (American Association of Cosmetology Schools) Annual Convention will be held in Phoenix, Arizona November 4-8, 2011.

The Paul Mitchell School Delaware sent in an email to the Board advising that there is an organization called "The American Cosmetology Board" which claims to be an

independent certification body. This organization is not a valid organization for the licensing or certification of cosmetologists. The State of Tennessee has already issued warnings to their licensed professionals.

The National-Interstate Council of State Boards of Cosmetology sent an email to the Board looking for Delaware representation at the all regions meeting in the Spring of 2012.

#### **OTHER BUSINESS BEFORE THE BOARD**

Ms. Lord asked the Board for volunteers to begin an Apprenticeship Committee to discuss and update the program. Deborah Boulden, Leila Lord, and Lisa Aurand all volunteered for this committee. The first committee meeting will be scheduled for January 2012.

#### **PUBLIC COMMENT**

There was no public comment.

#### **NEXT SCHEDULED MEETING**

The next Board meeting will be November 28, 2011 at 9:00 a.m. in Conference Room A.

#### **ADJOURNMENT**

A motion was made by Ms. Lord, seconded by Ms. Guilbert, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 12:11 p.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist, II